

AMENDED
APPLICATION FOR PERMIT

Serial No. **9581**

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR -1 1932
Returned to applicant for correction JUN 18 1932
Corrected application filed JUN 25 1932

The undersigned Eek & Duval
Name of applicant
of McGill, County of White Pine,
State of Nevada, hereby make application for
permission to appropriate the public waters of the State of Nevada, as
hereinafter stated. (If applicant is a corporation, give date and place
of incorporation.)

1. The source of the proposed appropriation is Middle Spring
Name of stream, lake, or other source

2. The amount of water applied for is 0.1 second-feet.
One-second-foot equals 40 miners' inches

3. The water to be used for stockwatering
Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:

From Middle Spring in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 25 N., R. 65 E., M.D.B. & M.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
or at a point N. 87° 35' W., 4,555 ft. from the SE Corner of Sec. 36,
T. 25 N., R. 65 E., M.D.B. & M.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is _____

(b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Works to be located SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 36, T. 25 N.; R. 65 E.
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.

(f) Point of return of water to stream will be 675 ft. easterly from
Describe in same manner as point of diversion.
the point of diversion in Dry Canyon in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 25
N; R. 65 E., M.D.B. & M.

(g) State number and kinds of animals to be watered _____

(h) Use will begin about Jan. 1 and end about Dec. 31, of each year.
Month Month

(i) Remarks Have used the waters from Middle Spring for agriculture
and watering of our stock for eleven years past.

Examined and approved
J. D. P. L.

DESCRIPTION OF PROPOSED WORKS

Water will be conveyed to place of use by means of a ditch to a reservoir
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water
420. ft. easterly from Middle Spring located in the same subdivision as the
is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.
point of diversion.

5. Estimated cost of works \$500.00

6. Estimated time required to construct works 1 year

7. Remarks The ditch and reservoir as described is located on my
For use of applicant

original Homestead Entry has been constructed and in use for storing of
water for agricultural and stock watering purposes since 1925.

Eek & Duval, Applicant.

By C. R. Townsend.

Compared B.D.-C.T.

This sheet inspected

, Engineer.

PROTESTED JULY 21, 1932--by--JAMES DOUTRE, % B. L. QUAYLE, -ATTORNEY AT LAW--ELY---22298

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application,
and do hereby grant the same, subject to the following limitations and
conditions:—

deny the same, on the ground that the approval thereof

would be in violation of the "Judgment and Decree" of the

Seventh Judicial District Court, dated April 8, 1932, James

Doutre, Plaintiff, vs. James E. Duval and Charles Eek, Defendants.

The amount of water to be appropriated shall be limited to the amount
which can be applied to beneficial use, and not to exceed
cubic feet per second.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or
before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

. Proof of the application of water to beneficial
use must be filed with State Engineer on or before

Map Filed June 17, 1932

WITNESS MY HAND AND SEAL this 26th day

of July, 1933.

Shawmalone

State Engineer.

BY

AWP